

02-28-02

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# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 0228us410  
First Inventor Poul Baad Rasmussen  
Title NEW INTERFERON BETA-LIKE MOLECULE  
Express Mail Label No. EF248967734US

Only for new nonprovisional applications under 37 CFR 1.53(b)

## APPLICATION ELEMENTS

## ADDRESS TO

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202 - Box Patent Application

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 133]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. ☒ Oath or Declaration [Total Pages 5]
- a. ☒ Newly executed (original or copy) (unsigned)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☒ paper
- c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of prior application No.: 09, 648,569  
(when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09, 648,569

Prior application information: Examiner: Unknown Group Art Unit: 1633

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label  or ☐ Correspondence address below

|                         |           |          |  |  |
|-------------------------|-----------|----------|--|--|
| Name                    | 30560     |          |  |  |
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|                   |   |                                   |            |
|-------------------|---|-----------------------------------|------------|
| Name (Print/Type) | Joanne R. Petithory   | Registration No. (Attorney/Agent) | 42,995     |
| Signature         |  | Date                              | 02/26/2002 |

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

|                      |                     |
|----------------------|---------------------|
| Application Number   | Unassigned          |
| Filing Date          | February 26, 2002   |
| First Named Inventor | Poul Baad Rasmussen |
| Examiner Name        | Unassigned          |
| Group Art Unit       | Unassigned          |
| Attorney Docket No.  | 0228us410           |

**TOTAL AMOUNT OF PAYMENT** (\$) 4914.00**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0990

Deposit Account Name Maxygen, Inc.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 740                    | 201 370                    | Utility filing fee     | 740.00   |
| 106 330                    | 206 165                    | Design filing fee      |          |
| 107 510                    | 207 255                    | Plant filing fee       |          |
| 108 740                    | 208 370                    | Reissue filing fee     |          |
| 114 160                    | 214 80                     | Provisional filing fee |          |

**SUBTOTAL (1)** (\$) 740.00**2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 199                | -20** = 179  | 18.00          | 3222.00  |
| Independent Claims | 11           | -3** = 8       | 84.00    |
| Multiple Dependent |              |                | 280.00   |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |
| 109 84                     | 209 42                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

**SUBTOTAL (2)** (\$) 4174.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 400                    | 216 200                    | Extension for reply within second month                                    |          |
| 117 920                    | 217 460                    | Extension for reply within third month                                     |          |
| 118 1,440                  | 218 720                    | Extension for reply within fourth month                                    |          |
| 128 1,960                  | 228 980                    | Extension for reply within fifth month                                     |          |
| 119 320                    | 219 160                    | Notice of Appeal   |          |
| 120 320                    | 220 160                    | Filing a brief in support of an appeal                                     |          |
| 121 280                    | 221 140                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,280                  | 241 640                    | Petition to revive - unintentional   |          |
| 142 1,280                  | 242 640                    | Utility issue fee (or reissue)   |          |
| 143 460                    | 243 230                    | Design issue fee   |          |
| 144 620                    | 244 310                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180                    | 126 180                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) |          |
| 146 740                    | 246 370                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 740                    | 249 370                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740                    | 279 370                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 0.00**SUBMITTED BY**

Complete (if applicable)

|                   |                            |                                   |            |           |                |
|-------------------|----------------------------|-----------------------------------|------------|-----------|----------------|
| Name (Print/Type) | Joanne R. Petithory        | Registration No. (Attorney/Agent) | 42,995     | Telephone | (650) 298-5300 |
| Signature         | <i>Joanne R. Petithory</i> | Date                              | 02/26/2002 |           |                |

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I hereby certify that this is being deposited with the United States Postal Services Express Mail Post Office to Addressee" service under 37 C.F.R. 1.110 on the date indicated above, addressed to:

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P.O. Box 2327  
Arlington, VA 22202  
Attn: Box Patent Application

Express Mail Label No.: **EF248967734US**

Date of Deposit: **February 26, 2002**

By:   
Joanne R. Petithory

Attorney Docket No. 0228us410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Poul Baad Rasmussen, et al.

Application No.: Unassigned

Filed: February 26, 2002

For: **New Interferon Beta-Like Molecules**

Examiner: Unassigned

Art Unit: Unassigned


STATEMENT ACCOMPANYING  
SEQUENCE LISTING

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202  
Attn: Box Patent Application

Sir:

The undersigned hereby states that the Sequence Listing submitted concurrently herewith does not include matter which goes beyond the content of the application as filed and that the information recorded on the diskette submitted concurrently herewith is identical to the written Sequence Listing.

Respectfully submitted,

  
Joanne R. Petithory  
Reg. No. 42,995

Dated: February 26, 2002

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